

AO 91 (Rev 8/01) Criminal Complaint

## United States District Court

SOUTHERN

DISTRICT OF  
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA  
V.

Erick Jose Gaitan-Bermudez

United States Courts  
Southern District of Texas  
FILED

CRIMINAL COMPLAINT

January 15, 2023

Case Number:

M-23-0088-M

IAE  
El Salvador  
(Name and Address of Defendant)

YOB: 1999

Nathan Ochsner, Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about January 13, 2023 in Starr County, inthe Southern District of Texas

(Track Statutory Language of Offense)

the Defendant being then and there an alien who had previously been deported from the United States to El Salvador in pursuance of law, and thereafter was found near Garceno, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the Defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Erick Jose Gaitan-Bermudez was encountered by Border Patrol Agents near Garceno, Texas on January 13, 2023. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on January 13, 2023, near Rio Grande City, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on June 29, 2018, through Houston, Texas. Prior to Deportation/Exclusion, the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA M. Phelps

Submitted by reliable electronic means, sworn to and attested telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

January 15, 2023 11:01 a.m.

Nadia S. Medrano, U.S. Magistrate Judge  
Name and Title of Judicial Officer/s/ Lorraine A. Partida  
Signature of ComplainantLorraine A. Partida Border Patrol Agent  
Signature of Judicial Officer